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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL NEWMAN, v. **PLAINTIFF(S),** DEPUTY TODD UNDERHILL, ET AL. **DEFENDANT(S)**	CASE NUMBER 5:23-cv-00033 SP **APPLICATION TO THE CLERK TO TAX COSTS**

Complete this form, including the Bill of Costs chart in section 2 and, if claiming witness fees, the Witness Fees chart in section 3. The completed form must then be submitted to the Court in two ways: (1) saved as a PDF document and e-filed (with all necessary attachments) in the case docket using the "Clerk to Tax Costs (CV-59)" event in the Court's CM/ECF System; and (2) saved as a Word document (.doc or .docx) and submitted by email (without attachments) to Cost_BillsLA@cacd.uscourts.gov. See L.R. 54-3 et seq. and the Bill of Costs Handbook (www.cacd.uscourts.gov/court-procedures/filing-procedures/bill-costs) for more information.

Name(s) of party or parties claiming costs:	Todd Underhill, James Blankenship, Lauren Laidlaw, and County of San Bernardino
Judgment entered on:	February 29, 2024
Docket #:	54
Names of party(ies) against whom judgment was entered:	Michael Newman

DECLARATION UNDER 28 U.S.C. § 1924

I declare under penalty of perjury that the costs itemized in this CV-59 Form are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed.

Date: March 4, 2024   Signature: /s/ Daniel S. Roberts

Name: Daniel S. Roberts
⊠ Attorney of   Defendants
Record for:

COURT USE ONLY

⊠ Application GRANTED in whole/part; costs are taxed in the amount of $ **3.722.60**
☐ Application DENIED because: ☐ Not timely filed (L.R. 54-2.1).
                              ☐ Insufficient supporting documentation provided (L.R. 54-2.1).
                              ☐ Filer is not prevailing party (L.R. 54-1).

Date: July 16, 2025   **Brian D. Karth, District Court Executive/Clerk of Court**

By: __R. Horan Walker_____
Deputy Clerk

Case Title: <u>Newman v. Underhill, et al.</u>; **Case No:** 5:23-cv-00033 SP

BILL OF COSTS

The Clerk does not have discretion to tax any item
not identified as taxable in the Local Rules.

Click in one of the grey boxes in the "Amount Claimed" column, enter the relevant amount, and then use the "tab" key to move to the next field; this will cause the form to adjust the column total at the bottom of the chart.

A list of disallowance codes is provided below the chart.

TAB		AMOUNT CLAIMED	SUPPORTING DOCUMENTS *(Must be itemized below and cross-referenced to attachments.)*	AMOUNT ALLOWED	~ IF ANY AMOUNT DISALLOWED ~		
					AMOUNT	CODE*	ADDITIONAL REASONS
				(Shaded columns for Court use only.)			
1		**L.R. 54-3.1 Clerk's Fees** *(only if in 28 USC § 1914 or www.uscourts.gov/services-forms/fees/district-court-miscellaneous-fee-schedule)*					
2		**L.R. 54-3.2 Fees for Service of Process**					
3		**L.R. 54-3.3 United States Marshal's Fees**					
4		**L.R. 54-3.4 Transcripts of Court Proceedings** *(order or stipulation required and must be attached)*					
5		**L.R. 54-3.5 Depositions** *(if order or stipulation required by rule, it must be attached)*					
		$4,337.00	Copy of Dep. of M. Kowalski ($310.00); Copy of Dep. of T. Underhill ($410.40); Copy of Deps. of J. Barmer and L. Laidlaw ($634.30); Copy of Dep. of M. Kelly ($438.65); Original of Dep. of M. Newman, part 1 ($1,590.30); Original of Dep. of M. Newman, part 2 ($953.35)	$3,722.60	$ 614.40	D	No provision in the rule for video fees.
6		**L.R. 54-3.6 Witness Fees** *(TAXED AT STATUTORY RATE ONLY; complete Witness Fees Chart, below)*					
7		**L.R. 54-3.7 Interpreter's Fees** *(document translation costs are not taxable)*					
8		**L.R. 54-3.8 Docket Fees** *(only as provided by 28 U.S.C. § 1823)*					
9		**L.R. 54-3.9 Court-Appointed Experts, Masters, Commissioners, and Receivers** *(attach appointment order)*					
10		**L.R. 54-3.10 Certification, Exemplification and Reproduction of Documents** *(if order or stip required, it must be attached)*					
	(a)	*L.R. 54-3.10(a): "cost of copies of documents necessarily filed and served"*					
	(b)	*L.R. 54-3.10(b): "cost of copies of documents or other materials admitted into evidence"*					
	(c)	*L.R. 54-3.10(c): "Fees for an official certification of proof respecting the non-existence of a document or record"*					
	(d)	*L.R. 54-3.10(d): "Patent Office charges" for necessary "patent file wrappers and prior art patents"*					

TAB	AMOUNT CLAIMED	SUPPORTING DOCUMENTS *(Must be itemized below and cross-referenced to attachments.)*	AMOUNT ALLOWED	~ IF ANY AMOUNT DISALLOWED ~		
				AMOUNT	CODE*	ADDITIONAL REASONS
				(Shaded columns for Court use only.)		
(e)		*L.R. 54-3.10(e): "Notary fees" of taxable documents*				
(f)		*L.R. 54-3.10(f): "Fees for certification or exemplification of any document or record necessarily obtained for use in the case"*				
(g)		*L.R. 54-3.10(g): "cost of physically replicating or reproducing material necessarily obtained for use in the case"*				
11		**L.R. 54-3.11 Premiums on Undertakings and Bonds**				
12		**L.R. 54-3.12 Other Costs** *(Court order must be attached; only visual aids, models, and photographs taxable under this rule)*				
13		**L.R. 54-3.13 State Court Costs** *(taxable only if taxable in state court; include citation to applicable state statute or rule)*				
14		**L.R. 54-4 Items Taxable as Costs on Appeal** *(only items taxable under Fed. R. App. P. 39(e))*				
15		**L.R. 54-5 Items Taxable as Costs on a Bankruptcy Appeal to the District Court**				
TOTAL	$4,337.00		$3,722.60	$614.40		

*Reason Codes for Disallowance of Claimed Costs:

"A" – No supporting documents provided.
"B" – Order/Stip required but not provided.
"C" – Documents provided do not support full amount claimed.
"D" – Item does not fall within the scope of the Local Rule.
"E" – Invoice includes both taxable and non-taxable costs, but no breakdown is provided.
"F" – Amount claimed reduced by agreement after meet and confer.
"G" – Other.

Case Title: <u>Newman v. Underhill, et al.</u>; **Case No:** 5:23-cv-00033 SP

WITNESS FEES

WITNESS FEES/EXPENSES COMPUTATION WORKSHEET: INSTRUCTIONS

- Attendance fees taxable only at statutory rate. <u>28 U.S.C. § 1821(b)</u>.
- Travel in a privately owned vehicle ("POV") is computed at federal government rates in the year of travel. Visit <u>gsa.gov</u> for current POV mileage reimbursement rate.
- For mileage claims, distances should be documented (through Google maps or similar); point of trip origin should be documented if different from place of residence.
- Subsistence expenses (including lodging and meals) for overnight stay (if required due to distance) are allowed but may not exceed maximum per diem allowance for federal government employees. <u>View gsa.gov lodging per diem rates. View gsa.gov meals and incidental expenses per diem rates</u>.

NAME, CITY AND STATE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							$0.00
							$0.00
							$0.00
							$0.00
							$0.00
							$0.00
							$0.00
							$0.00
							$0.00
							$0.00
						TOTAL	$0.00

Table title: WITNESS FEES (computation, see 28 U.S.C. § 1821 for statutory fees)